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UNDER
SEAL**

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Rev. March 2017

United States District Court
for
the District of Nevada

PETITION FOR WARRANT
FOR OFFENDER UNDER SUPERVISION

Name of Offender: **Gregory Bernard Lacy**

Case Number: **2:16CR00311**

Name of Sentencing Judicial Officer: **Honorable Warren W. Eginton**

Date of Original Sentence: **February 17, 2000**

Original Offense: **Possession with Intent to Distribute More Than 50 Grams of Cocaine Base**

Original Sentence: **240 Months prison, followed by 120 Months TSR.**

Date Supervision Commenced: **March 25, 2016**

Date Jurisdiction Transferred to District of Nevada: **November 8, 2016**

Name of Assigned Judicial Officer: **Honorable James C. Mahan**

PETITIONING THE COURT

☒ To issue a warrant.

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Shall Not Commit Crime** - The defendant shall not commit another federal state or local crime.

- A. On March 14, 2021, Lacy Committed the offense of Driving Under the Influence Alcohol and/or Controlled or Prohibited Substance, 1st Offense, a misdemeanor, in violation of N.R.S. 484C.110.

On the above noted date, officers with the Las Vegas Metropolitan Police Department (LVMPD) observed Lacy's vehicle failing to maintain lanes and reaching speeds of

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80 plus miles per hour (MPH) in a 65 MPH zone. An officer with the LVMPD initiated a traffic stop and upon contacting Lacy the officer detected an odor of alcohol, noticed his eyes were bloodshot and watery, and his speech was slowed, slurred, and mumbled. Lacy refused to conduct a field sobriety test and refused to submit to an evidentiary blood draw. Lacy was ultimately taken into custody and booked into the Las Vegas City Jail. A search warrant was subsequently issued to obtain a blood sample.

On October 19, 2022, in Las Vegas Municipal Court, Lacy pled Nolo Contendere to having committed the crime of DUI-Alcohol. Lacy was required to pay a fine, complete a DUI program, and a Victim Impact Panel.

- B. On February 12, 2023, Lacy committed the offense of Unsafe Turn Using Improper Position or Method at Intersection, a misdemeanor, in violations of N.R.S. 484B.400 and Driving Under the Influence of Alcohol and/or Controlled or Prohibited Substance, 2nd Offense, a misdemeanor, in violation of N.R.S. 484C.110.

On the above noted date, an officer with the Las Vegas Metropolitan Police Department observed the vehicle Lacy was driving leaving the entrance of the Palms Casino, turning south into a northbound one-way lane, at a fast rate of speed, avoiding the barrier that prevented southbound turns. The vehicle eventually got into the correct lane. A traffic stop was initiated.

When the officer contacted Lacy, he acknowledged he made an unsafe turn. The officer smelled an odor of alcohol emanating from the vehicle and Lacy's breath when speaking. Lacy admitted to the officer to having consumed alcohol prior to the traffic stop. Lacy submitted to a series of field sobriety test. The officer determined that there was reason to believe that Lacy was operating a motor vehicle under the influence. Lacy was taken into custody and booked into the county jail accordingly.

2. No Alcohol – You must not use or possess alcohol.

As detailed in allegation #1B, Lacy admitted to consuming alcohol on February 12, 2023. On February 14, 2023, Lacy admitted to the undersigned officer that on the day of his arrest (February 12, 2023), he had consumed two shots of alcohol and drank beer.

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U.S. Probation Officer Recommendation:

The term of supervision should be:

☒ Revoked

I declare under penalty of perjury that the
information contained herein is true and correct,

Executed on **February 14, 2023**



Digitally signed by
Javier Muruato-Cortez
Date: 2023.02.17
11:59:52 -08'00'

Javier Muruato
U.S. Probation Officer

Approved:



Digitally signed by Todd
Fredlund
Date: 2023.02.16 18:27:03
-08'00'

Todd J. Fredlund
Supervisory United States Probation Officer

THE COURT ORDERS

- ☐ No Action.
- ☒ The issuance of a warrant.
- ☐ The issuance of a summons.
- ☐ Other:



Signature of Judicial Officer

February 17, 2023

Date

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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. GREGORY BERNARD LACY, 2:16CR00311

SUMMARY IN SUPPORT OF PETITION FOR WARRANT
February 14, 2023

On February 17, 2000, Lacy was sentenced to 240 months custody to be followed by 10 years supervised release for committing the offense of Possession with Intent to Distribute More Than 50 Grams of Cocaine Base in the District of New Mexico. On March 25, 2016, Lacy commenced his term of supervised release in the District of Nevada. Jurisdiction was transferred to the District of Nevada on November 8, 2016.

On March 14, 2021, Lacy was committed the offense of Driving Under the Influence-Alcohol as detailed in allegation #1A. In response to this violation, on March 29, 2021, Your Honor granted modification to Lacy's conditions to included 60 days Curfew with Location Monitoring, 60 days of intensive Alcohol Monitoring, and a No Alcohol clause for the duration of supervision.

On October 19, 2022, in Las Vegas Municipal Court (Case No. c1246251A), Lacy pled Nolo Contendere to the offense of Driving Under the Influence-Alcohol. Lacy was fined and ordered to complete a victim impact panel and a DUI program. Lacy completed the requirements and the case is closed.

On February 12, 2023, Lacy was arrested for committing his second Driving Under the Influence- Alcohol while under supervision. On February 14, 2023, Lacy reported to the probation office and informed the undersigned officer of the arrest. Lacy is out on bail with conditions to Stay Out of Trouble and Alcohol Monitoring. Lacy admitted to the undersigned officer that on the day of his arrest he had drank two (2) shots of alcohol and beer.

Lacy has now been arrested on four (4) occasions for DUI. Lacy's criminal history includes the following convictions:

- Unlicensed Driver (August 1992)
- Trafficking In Drugs (July 1997)
- Driving with Suspend License (June 1997)
- DUI (March 1999)
- Reckless Driving-initially charged as DUI (November 1998)
- Possession with Intent to Distribute More Than 50 Grams of Cocaine Base (February 2000)
- DUI (October 2022)

It is apparent that Lacy has not been deterred by prior sanctions, which included location monitoring (curfew) and intensive alcohol monitoring. Although it would seem Lacy suffers from an alcohol problem this does not appear to be the case, as he did not test positive for alcohol once while monitored intensely following his 2021 DUI arrest. It seems Lacy has no

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regard for the safety of others or himself by continuing to imbibe alcohol and drive. Lacy is extremely fortunate that his reckless and careless conduct has not resulted in an innocent bystander being significantly injured or killed. Lacy presents a danger to the community by continuing to drink and drive. It is respectfully requested that a warrant be issued so that revocation proceedings may be initiated.

Respectfully submitted,



Digitally signed by
Javier Muruato-Cortez
Date: 2023.02.17
12:04:07 -08'00'

Javier Muruato
U.S. Probation Officer

Approved:



Digitally signed by Todd
Fredlund
Date: 2023.02.16 18:27:33
-08'00'

Todd J. Fredlund
Supervisory United States Probation Officer